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Our Docket No. 42390P11705

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Wang, et al. ) Examiner: Not yet assigned  
Application No.: 09/966,458 ) Art Unit: Not yet assigned  
Filed: September 28, 2001 )  
For: Configurable System Monitoring for )  
Dynamic Optimization of Program )  
Execution )

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION  
(FILING DATE GRANTED)

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted)  
mailed October 24, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the  
above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);
- (3) a check in the amount of \$110.00 in payment of the 1 month extension of time; and

02/15/2002 HNDHANN1 00000071 09966458

02 FC:115

110.00 UP

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: January 22, 2002

Name of Person Mailing Correspondence: Lori E. True

Lori E. True  
Signature

January 22, 2002  
Date

Docket No.: 42390P11705  
Application No.: 09/966,458

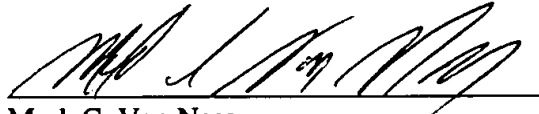
- (4) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 1/22/02



Mark C. Van Ness  
Reg. No. 39,865

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025-1030  
(303) 740-1980



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PTO/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 240.00

## Complete if Known

Application Number	09/966,458
Filing Date	September 28, 2001
First Named Inventor	Hong Wang, et al.
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	042390P11705

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 02-2666  
Deposit Account Name: \_\_\_\_\_

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims: \_\_\_\_\_ -20\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_  
Independent Claims: \_\_\_\_\_ -3\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_  
Multiple Dependent: \_\_\_\_\_ = \_\_\_\_\_

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*for number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	\$130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	\$110.00
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 240.00

## SUBMITTED BY

Name (Print/Type)	Mark C. Van Ness	Registration No. (Attorney/Agent)	39,865	Telephone	(303) 740-1980
Signature				Date	1/22/02

WARNIN : Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/966,458	09/28/2001	Hong Wang	42390P11705

CONFIRMATION NO. 5276

FORMALITIES LETTER



\*OC00000006964887\*

Blakely, Sokoloff, Taylor & Zafman  
12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, CA 90025-1030

Date Mailed: 10/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

H-T  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE